

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

<p>ACQIS LLC, a Texas limited liability company,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>MITAC COMPUTING TECHNOLOGY CORPORATION, a Taiwan corporation, Defendant.</p> <p>ASUSTEK COMPUTER, INC., Defendant.</p> <p>INVENTEC CORPORATION, a Taiwan corporation, Defendant.</p> <p>LENOVO GROUP LTD. et al., Defendants.</p> <p>WIWYNN CORPORATION, a Taiwan corporation, Defendants.</p>	<p style="text-align: center;"><i>CONSOLIDATED</i></p> <p style="text-align: center;">JURY TRIAL DEMANDED</p> <p>Civil Action No.: 6:20-cv-962-ADA</p> <p>Civil Action No.: 6:20-cv-965-ADA</p> <p>Civil Action No.: 6:20-cv-966-ADA</p> <p>Civil Action No.: 6:20-cv-967-ADA</p> <p>Civil Action No.: 6:20-cv-968-ADA</p>
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JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to this Court’s August 3, 2021 Scheduling Order, Plaintiff ACQIS LLC and Defendants MiTAC Computing Technology Corporation, ASUSTek Computer, Inc., Inventec Corporation, Lenovo Group Ltd. et al., and Wiyynn Corporation (collectively, the “Parties”) submit this Joint Claim Construction Statement.

Concurrently with this submission, the Parties jointly submit, via email to the law clerk, PDF versions of all as-filed claim construction briefing and exhibits.

I. THE PATENTS-IN-SUIT

The patents-in-suite are U.S. Patent Nos. 7,676,624 (“’624”), 8,041,873 (“’873”), 8,626,977 (“’977”), 8,756,359 (“’359”), 8,977,797 (“’797”), 9,529,768 (“’768”), 9,529,769 (“’769”), 9,703,750 (“’750”), RE42,984 (“’984”), RE43,602 (“’602”), RE44,654 (“’654”), RE44,468 (“’468”), RE44,739 (“’739”), RE45,140 (“’140”), and RE46,947 (“’947”), which are attached as Exhibits A-O.

The asserted claims are as follows:

Patent	Claims
’624	11
’873	54, 77, 97
’977	1, 4, 6, 9-14, 16, 17
’359	1-8, 17, 19-21
’797	7-8, 10, 14, 16, 36, 38
’768	1, 3-18, 21-22, 30, 33-36, 39-40
’769	19
’750	1-2, 4-7, 10-12, 14, 18-21, 24-27, 29, 31, 34-38, 44-50
’984	40, 52
’602	14
’654	14-16, 20, 23
’468	14, 21, 26, 29, 35, 37, 45
’739	14, 18-19, 29-32
’140	14, 17, 30-31, 35
’947	14, 19, 35, 48, 51, 54, 57

II. AGREED CONSTRUCTIONS

Pursuant to the August 3, 2021 Scheduling Order, the Parties met and conferred to narrow the terms in dispute but were unable to agree as to any constructions.

III. LIST OF DISPUTED TERMS FOR CONSTRUCTION

The Parties provide the following list of disputed terms for construction, in the order they are addressed in the Parties’ claim construction briefing.

Term for Construction	Patents and Claims	Plaintiff's Proposed Construction	Defendants' Proposed Construction
<p>“Peripheral Component Interconnect (PCI) bus transaction”/“PCI bus transaction” (proposed by Plaintiff and Defendants)</p>	<p>’624, claims 6, 11 ’873, claims 54, 77, 97 ’768, claims 1, 3-18, 21-22, 30, 33-35, 39-40 ’750, claims 1-2, 4-7, 10-12, 18-21, 25-27, 29, 31, 34-35, 37-38, 44-47 ’977, claims 1, 4, 9-10, 16 ’797, claims 7-8, 10, 14, 16, 36, 38 ’140, claims 30-31 ’359, claims 3, 7, 17 ’739, claims 29-32 ’654, claims 14-16 ’602, claim 14 ’468, claims 14, 21, 26, 29, 35, 37, 45 ’947, claims 19, 35, 48, 51, 54, 57 ’984, claim 52</p>	<p>Information, including at least PCI address, data, byte enable, and command type information, in accordance with the industry standard PCI Local Bus Specification, for communication with an interconnected peripheral component</p>	<p>A transaction, in accordance with the industry standard PCI Local Bus Specification, for communication with an interconnected peripheral component</p>
<p>“address and data bits of a Peripheral Component Interconnect (PCI) bus transaction”/“address and data bits of a PCI bus transaction”/“address bits, data bits, and byte enable information bits of a Peripheral Component Interconnect (PCI) bus</p>	<p>’768 patent, claims 1, 3-18, 21-22, 30, 33-35, 39-40 ’750 patent, claims 1-2, 4-7, 10-12, 18-21, 25-27, 29, 31, 34-35, 37-38, 44-47 ’977 patent, claims 1, 4, 9-10, 16 ’797 patent, claims 7-8, 10, 14, 16, 36, 38 ’140 patent, claims 30-31</p>	<p>No construction needed. These phrases recite the bits of a PCI bus transaction that are conveyed / transmitted / communicated, <i>i.e.</i>, “address bits,” “data bits,” and “byte enable information bits,” as applicable. Claims that recite these bits do not require that other, non-recited bits be</p>	<p>A PCI bus transaction, including all address, data, and control bits</p>

Term for Construction	Patents and Claims	Plaintiff's Proposed Construction	Defendants' Proposed Construction
<p>transaction”/“address bits, data bits, and byte enable information bits of a PCI bus transaction” (proposed by Plaintiff)</p> <p>Claims reciting specific “bits” of a PCI bus transaction, including but not limited to “address bits,” “data bits,” and “byte enabled information bits” (proposed by Defendants)</p>	<p>’359 patent, claims 3, 7, 17 ’739 patent, claims 29-32 ’654 patent, claims 14-16 ’602 patent, claim 14 ’468 patent, claims 14, 26, 29, 35, 37, 45 ’947 patent, claims 19, 35, 48, 51, 54, 57</p>	<p>conveyed / transmitted / communicated. The claims, as written, are clear, and this language of the claims does not require construction.</p>	
<p>“encoded...” (proposed by Plaintiff)</p> <p>Claims reciting a “encoded” PCI bus transaction or PCI bus transaction in “serial stream” or “serial form” (proposed by Defendants)</p>	<p>’768 patent, claims 1, 4-10, 13, 15, 18, 21-22, 30, 33-35, 39-40 ’750 patent, claims 1, 5-7, 10-12, 14, 18-21, 25, 27, 29, 31, 35, 37-38, 44-47 ’977 patent, claims 1, 4, 6, 9-10, 16 ’797 patent, claims 7-8, 10, 14, 16, 36, 38 ’140 patent, claims 30-31 ’359 patent, claims 3, 7, 17 ’739 patent, claims 29-32 ’654 patent, claims 14-16 ’468 patent, claims 14, 26, 29, 35, 37, 45 ’947 patent, claims 14, 35, 48, 51, 54, 57 ’624 patent, claim 11</p>	<p>Code representing a PCI bus transaction.</p> <p>PCI bus transaction in serial form.</p>	<p>A PCI bus transaction that is serialized from a parallel form</p>

Term for Construction	Patents and Claims	Plaintiff's Proposed Construction	Defendants' Proposed Construction
	'873 patent, claims 54, 77, 97 '984 patent, claims 40, 52		
<p>“USB”/“Universal Serial Bus (USB) protocol”/“Universal Serial Bus (USB) protocol [data/information]” (proposed by Plaintiff and Defendants)</p>	<p>'768 patent, claims 33-34, 36, 40 '750 patent, claims 4, 7, 24, 46-50 '977 patent, claims 1, 4, 11, 17 '359 patent, claims 1-8, 17, 19-21 '739 patent, claims 14, 18-19, 30 '654 patent, claims 20, 23 '468 patent, claim 21 '947 patent, claim 14 '769 patent, claim 19</p>	<p>“Universal Serial Bus (USB) protocol” / “Universal Serial Bus (USB) protocol data”: USB data payload “Universal Serial Bus (USB) protocol information”: information described in the USB specification.</p>	<p>[data/information conveyed according to] the protocols defined in the Universal Serial Bus Specification Revision 2.0 and prior versions of the Universal Serial Bus Specification”</p>
<p>“console” (proposed by Plaintiff and Defendants)</p>	<p>'768 patent, claims 18, 21-22, 30, 34, 40 '750 patent, claims 5-6, 10-12, 18-20, 24, 35-38, 44-45, 48 '977 patent, claims 1, 4 '140 patent, claims 14, 17, 31 '359 patent, claims 1-8, 17, 19-21 '739 patent, claims 18-19 '654 patent, claims 14-16, 20, 23 '602 patent, claim 14 '873 patent, claims 54, 77 '468 patent, claims 21, 26, 29 '624 patent, claims 6, 11 '984 patent, claims 40, 52</p>	<p>A device or enclosure, housing one or more coupling sites, that connects components of a computer system.</p>	<p>Enclosure, housing at least one bay for receiving a computer module, which connects components of a computer system</p>

Term for Construction	Patents and Claims	Plaintiff's Proposed Construction	Defendants' Proposed Construction
“central processing unit (CPU)” (proposed by Defendants)	'359 patent, claims 1-2, 4, 6, 8, 17, 19; '768 patent, claims 1, 4, 7, 10, 13, 18, 22, 30, 33-34, 36, 39; '750 patent, claims 1, 5-6, 10-11, 18, 21, 24-25, 27, 29, 31, 34-35, 37-38, 44-48, 50; '797 patent, claims 7-8, 10, 14, 16, 36; '977 patent, claims 1, 6, 12-14; '769 patent, claim 19; '654 patent, claims 14, 20, 23; '739 patent, claims 14, 18, 29; '984 patent, claims 40, 52; '140 patent, claims 17, 14, 30, 35; '468 patent, claims 14, 21, 26, 29, 35, 37, 45; '947 patent, claims 14, 19, 35, 48, 51, 54, 57; '602 patent, claim 14.	No construction needed. Plain and ordinary meaning.	Plain and ordinary meaning, wherein the plain and ordinary meaning is “a single central processing unit or core processing unit”
“computer module” (proposed by Defendants)	'602 patent, claim 14; '624 patent, claim 11; '873 patent, claims 54, 77; '984 patent, claims 40, 52.	A computing package for providing a computing function as recited in a particular claim.	A user-removable, user-portable computer system within an enclosure comprising at least a processor, and memory ¹
“single chip” (proposed by Defendants)	'768 patent, claims 1, 4, 13, 18, 22, 36, 39;	No construction needed. Plain and ordinary meaning.	Plain and ordinary meaning, wherein the plain and ordinary meaning is “one integrated circuit chip”

¹ To narrow the dispute, Defendants withdrew “mass storage” from its proposed construction. *See* 6:20-cv-00967, Dkt. No. 90 at 18.

Term for Construction	Patents and Claims	Plaintiff's Proposed Construction	Defendants' Proposed Construction
	'750 patent, claims 1, 5-6, 10-11, 14, 24-25, 31, 35, 37, 45, 48, 50; '797 patent, claims 36, 38; '359 patent, claim 1; '977 patent, claims 1, 6, 13-14; '769 patent, claim 19; '739 patent, claims 18, 29; '602 patent, claim 14; and '140 patent, claims 14, 30, 35.		

SUBMITTED: October 14, 2021

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CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on October 14, 2021, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

/s/Paige Arnette Amstutz
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